

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

BASF CATALYSTS LLC,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

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Civil Action No. 05-11241-JLT

ORDER

March 26, 2007

TAURO, J.

After a hearing on Jan. 18, 2007, the court hereby orders:

- 1) Plaintiff's Motion for Declaratory and Summary Judgment [#26] is DENIED.
- 2) Defendants' Motion for Judgment on the Pleadings on Plaintiff's Fourth Cause of Action [#28], having been converted into a Motion for Summary Judgment on Count IV [#28] is ALLOWED.
- 3) Count IV of Plaintiff's complaint is DISMISSED with PREJUDICE.

IT IS SO ORDERED.

/s/ Joseph L. Tauro  
United States District Judge